

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

STEPHEN WISECUP,

Plaintiff(s),

CASE NO. 3:10-cv-325

-vs-

District Judge Timothy S. Black
Magistrate Judge Sharon L. Ovington

COMMISSIONER OF SOCIAL SECURITY,

Defendant(s).

JUDGMENT IN A CIVIL CASE

☐ **Jury Verdict:** This action came before the Court for a trial by jury. The issues have been tried and the Jury has rendered its verdict.

☒ **Decision by Court:** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered,

IT IS ORDERED AND ADJUDGED: that the Report and Recommendation (Doc. 18) is **ADOPTED** in Full; the Commissioner's final non-disability decision is **VACATED**; No finding is made regarding whether Plaintiff Stephen Wisecup is under a "disability" within the meaning of the Social Security Act; this matter is **REMANDED** to the Social Security Administration under Sentence Four of 42 U.S.C. § 405(g) for further proceedings consistent with this Decision and Entry and the Report and Recommendations; and the case is **TERMINATED** on the docket of this Court.

Date: August 3, 2011

JAMES BONINI, CLERK

By: s/ M. Rogers
Deputy Clerk